

DOCUMENTS UNDER SEAL ☐

TOTAL TIME (mins): 10 Mins

MAGISTRATE JUDGE MINUTE ORDER		DEPUTY CLERK Ivy L. Garcia		REPORTER/FTR FTR 12/14/07 10:14:00-10:24:30	
MAGISTRATE JUDGE HON. WAYNE D. BRAZIL		DATE 12/14/07		NEW CASE <input type="checkbox"/>	CASE NUMBER CR-07-00790-CW
APPEARANCES					
DEFENDANT ENRIQUE GARCIA-GRACIANO		AGE	CUST Yes	P/NP P	ATTORNEY FOR DEFENDANT Joyce Leavitt
U.S. ATTORNEY Chinhayi Coleman		INTERPRETER Carole Glasser (Spanish Int.)		<input type="checkbox"/> FIN. AFFT SUBMITTED	<input type="checkbox"/> COUNSEL APPT'D
PROBATION OFFICER None	PRETRIAL SERVICES OFFICER Taifa Gaskins		DEF ELIGIBLE FOR APPT'D COUNSEL <input type="checkbox"/>		PARTIAL PAYMENT OF CJA FEES <input type="checkbox"/>
PROCEEDINGS SCHEDULED TO OCCUR					
<input checked="" type="checkbox"/> INITIAL APPEAR 5 Mins HELD	<input type="checkbox"/> PRELIM HRG	<input type="checkbox"/> MOTION		<input type="checkbox"/> JUGM'T & SENTG	<input type="checkbox"/> STATUS
<input type="checkbox"/> I.D. COUNSEL	<input checked="" type="checkbox"/> ARRAIGNMENT 5 Mins HELD	<input type="checkbox"/> BOND HEARING		<input type="checkbox"/> INITIAL APPEAR REV PROB OR S/R	<input type="checkbox"/> OTHER
<input type="checkbox"/> DETENTION HRG	<input type="checkbox"/> ID / REMOV HRG	<input type="checkbox"/> CHANGE PLEA		<input type="checkbox"/> PROB. REVOC.	<input type="checkbox"/> ATTY APPT HEARING
INITIAL APPEARANCE					
<input checked="" type="checkbox"/> ADVISED OF RIGHTS 12/14/07	<input checked="" type="checkbox"/> ADVISED OF CHARGES 12/14/07	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME		<input type="checkbox"/> TRUE NAME:	
ARRAIGNMENT					
<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input checked="" type="checkbox"/> ARRAIGNED ON INDICTMENT	<input type="checkbox"/> READING WAIVED SUBSTANCE		<input type="checkbox"/> WAIVER OF INDICTMENT FILED	
RELEASE					
<input type="checkbox"/> RELEASED ON O/R	<input type="checkbox"/> ISSUED APPEARANCE BOND	AMT OF SECURITY \$		SPECIAL NOTES	<input type="checkbox"/> PASSPORT SURRENDERED DATE:
PROPERTY TO BE POSTED <input type="checkbox"/> CASH \$		CORPORATE SECURITY <input type="checkbox"/>		REAL PROPERTY: <input type="checkbox"/>	
<input checked="" type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT	<input type="checkbox"/> DETAINED	<input type="checkbox"/> RELEASED	<input type="checkbox"/> DETENTION HEARING AND FORMAL FINDINGS WAIVED	<input checked="" type="checkbox"/> REMANDED TO CUSTODY
ORDER REMOVED TO THE DISTRICT OF					
PLEA					
<input type="checkbox"/> CONSENT ENTERED	<input checked="" type="checkbox"/> NOT GUILTY		<input type="checkbox"/> GUILTY		GUILTY TO COUNTS: <input type="checkbox"/>
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED		OTHER:	
CONTINUANCE					
TO: 12/19/07	<input checked="" type="checkbox"/> ATTY APPT HEARING	<input type="checkbox"/> BOND HEARING	<input type="checkbox"/> STATUS RE: CONSENT	<input type="checkbox"/> STATUS / TRIAL SET	
AT: 10:00 a.m.	<input checked="" type="checkbox"/> SUBMIT FINAN. AFFIDAVIT	<input type="checkbox"/> PRELIMINARY HEARING OR ARRAIGN- MENT	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> OTHER	
BEFORE HON. WAYNE D. BRAZIL	<input checked="" type="checkbox"/> DETENTION HEARING		<input type="checkbox"/> MOTIONS	<input type="checkbox"/> JUDGMENT & SENTENCING	
<input type="checkbox"/> TIME WAIVED	<input type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161	<input type="checkbox"/> IDENTITY / REMOVAL HEARING	<input type="checkbox"/> PRETRIAL CONFERENCE	<input type="checkbox"/> PROB/SUP REV. HEARING	
ADDITIONAL PROCEEDINGS					

The deft. was given a financial affidavit form by the Clerk. The govt's atty. provided the Court with a copy of the detainer that has been lodged on the deft. by ICE (Immigration and Customs Enforcement).

cc: WDB's Stats, Pretrial, Sheilah

RECEIVED
DEC 14 2007
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

Immigration Detainer - Notice of Action

File No.

A70 829 754

DECEMBER 14, 2007

To: (Name and title of institution)

U.S. Marshals Service

OAKLAND, CA.

Or any subsequent law enforcement agency

To Follow On All Transfers

From: (INS office address)

U.S. Immigration and Customs Enforcement

Detention and Removals

630 Sansome Street

San Francisco, CA 94111 (415) 844-5646

Name of alien: **GARCIA-GRACIANO, ENRIQUE H.**

CII: CA11560822

FBI: 40141JB1

Date of birth: **12/23/1977**

Nationality: **MEXICO**

Sex: **Male**

You are advised that the action noted below has been taken by the U.S. Immigration and Customs Enforcement concerning the above-named inmate of your institution:

- ☐ Investigation has been initiated to determine whether this person is subject to removal from the United States.
- ☐ A Notice to Appear or other charging document initiating removal proceedings, a copy of which is attached, was served on _____
(Date)
- ☐ A warrant of arrest in removal proceedings, a copy of which is attached, was served on _____
(Date)
- ☒ **Deportation or removal from the United States has been ordered.**

It is requested that you:

Please accept this notice as a detainer. This is for notification purposes only and does not limit your discretion in any decision affecting the offender's classification, work and quarters assignments, or other treatment which he or she would otherwise receive.

- ☐ Federal regulations (8 CFR 287.7) require that you detain the alien for a period not to exceed 48 hours (excluding Saturdays, Sundays and Federal holidays) to provide adequate time for INS to assume custody of the alien. You may notify INS by calling _____ during business hours or _____ after hours in an emergency.

- ☒ **Please complete and sign the bottom block of the duplicate of this form and return it to this office.**

Please return a signed copy via facsimile to

(415) 844-5591

(Area code and facsimile number)

- ☒ **Notify the nearest DHS/ICE office of the time of release at least 30 days prior to release or as far in advance as possible.**
- ☒ **Notify this office in the event of the inmate's death or transfer to another institution.**
- ☐ Please cancel the detainer previously placed by this Service on _____

Cesar Lopez #3153

(Signature of ICE official)

Deportation Officer

(Title of ICE official)

Date of latest conviction: _____

Latest conviction
charge: _____

Estimated release date: _____

SIGNATURE AND TITLE OF OFFICIAL: _____

Form I-247 (Rev. 4-1-97)N

*******RECEIPT ACKNOWLEDGED*******